Writ Petition No. 171 (S/S) 2003

Karan Singh Rana- …..... Petitioner

Versus

State of Uttaranchal & one another- …….. Respondents.

And

Writ Petition No. 172 (S/S) 2003

Virendra Dutt Bhatt- ..…... Petitioner

Versus

State of Uttaranchal & one another- …….. Respondents.

And

Writ Petition No. 173 (S/S) 2003

Surendra Singh- …..... Petitioner

Versus

State of Uttaranchal & one another- …….. Respondents.

And

Writ Petition No. 174 (S/S) 2003

Ravi Pratap Singh- …..... Petitioner

Versus

State of Uttaranchal & one another- …….. Respondents.

And

Writ Petition No. 175 (S/S) 2003

Satveer Singh- …..... Petitioner

Versus

State of Uttaranchal & one another- …….. Respondents.

And

Writ Petition No. 176 (S/S) 2003

Kailash Chand Tyagi- …….. Petitioner

Versus

State of Uttaranchal & one another- …….. Respondents.

And

Writ Petition No. 177 (S/S) 2003

Mahesh Chandra Sharma- …….. Petitioner

Versus

State of Uttaranchal & one another- …….. Respondents.

And

Writ Petition No. 178 (S/S) 2003

Trilochan Punetha- ….... Petitioner

Versus

State of Uttaranchal & one another- ……..... Respondents.

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Hon'ble M.M. Ghildiyal J.

All the abovementioned petitions arise out of the same order dated 03.05.2003 passed by respondent No.2; therefore, all the aforesaid petitions are being disposed of with a common order.

All these petitioners are filed against the suspension order dated 03.05.2003 passed by respondent No.2. The petitioners are Joint Engineers, have been suspended for various charges mentioned in the suspension order, itself.

Heard Sri Manoj Tewari learned Counsel for the petitioners and Sri Maulekhi learned Addl. Chief Standing Counsel.

Sri Maulekhi has filed short affidavit.

The petitioners have submitted that the order of suspension has been passed on the dictate of the Government and the authority competent, has not applied his mind to pass such order. He has further stated that in most of the charges, the responsible officer is the Executive Engineer whereas; cyclostyle order has been passed to suspend all the Junior Engineers, Asstt. Engineer and Executive Engineer of the P.W.D. Chakrauta Division.

I have gone through the suspension orders. A number of charges have been levelled in the suspension orders. For some charges, the Junior Engineer are responsible and in another, the Executive Engineer or the Asstt. Engineer is responsible.

Suspension orders have been passed on the direction of the competent authority and the competent authority, after receiving various complaints from the different quarters held a meeting of higher officers in the Chakrauta Division.

Sri Maulekhi has stated that the Technical Advisor conducted a preliminary enquiry.

In the circumstances, I find no infirmity in the orders. Suspension is no punishment. Learned Counsel for the petitioners has stated that charge sheets have not been received by them till date.

For the reasons stated above, I direct the Chief Engineer/ respondent No. 2 to appoint an Enquiry Officer and submit charge sheets within a period of 15 days from today. Thereafter, petitioners shall reply to the charges within further two weeks and the Enquiry Officer shall conclude the enquiry and final order shall be passed by the Competent Authority within a period of two months from today.

With these directions, the writ petitions are disposed of finally. The office is directed to keep the photocopies of this order in the connected writ petitions.

(M.M.Ghildiyal J.)

June 6,2003:
NCM: